

United States District Court
For the
District of Massachusetts
CLERK'S OFFICE

2004 OCT 20 A 11:56

U.S. DISTRICT COURT
DISTRICT OF MASS

Civil Action

NO:

MARK GENOVEZOS, ET. AL,
Plaintiff's

vs.

Thomas M. Hodgson, Sheriff, ET. AL
Defendants

Complaint

This is a class-action brought by various inmates confined at the Bristol County House of Correction against various prison officials, pursuant to 42 U.S.C. § 1983 which are all being sued in their individual and official capacity under the color of law state and Federal laws under the United States Constitution; when they choose to impede on the prisoners secured rights pursuant to M.G. L. C. 125A § 11I.

Parties

1) The Plaintiff Mark Genovezos is a person in this class action suit presently confined here at the Bristol County House of Correction, at 400 Fairme Corner Rd. North Dartmouth Massachusetts 02747

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2) Thomas M. Higgins is the defendant, is the Sheriff for the
Bristol County House of Correction, 400 Faunce Corner Rd
North Dartmouth, Massachusetts, 02747

3) James P. Kelly, is the defendant working under the control
of the Sheriff at the Bristol County House of Correction 400
Faunce Corner Rd. North Dartmouth Massachusetts 02747

4) John Pope, is the defendant working under the control of
the Sheriff at the Bristol County House of Correction 400
Faunce Corner Rd. North Dartmouth Massachusetts, 02747

5) Peter Berthiaume, is the defendant working under
the control of the Sheriff at the Bristol County House of
Correction 400 Faunce Corner Rd, North Dartmouth
Massachusetts, 02747

Action

6) All of the defendants are being sued in their
individual and official capacity, when they failed to
adequately provide proper medical treatment for all
the inmates, and when they failed to provide an adequate
law library for all said inmates confined within the A.A. station
, segregation and population unit, here at the Bristol County
House of Correction located here at 400 Faunce Rd., North
Dartmouth, Massachusetts, 02747

7) The plaintiff has requested numerous occasions for medical treatment upon his arrival at this institution Bristol County House of Correction.

8) Plaintiff arrived here on Sept 13, 2004, with injuries he received 4 days before his incarceration, when the plaintiff was struck by a car while riding his 10 Speed bike.

9) Plaintiff requested further medical treatment as to his right and left leg, which sustained severe bruises, and scrapes from such accident.

10) Plaintiff filed numerous medical slips complaining of such injuries and explain that the plaintiff suffered back injuries and in fact the plaintiff received an operation a year ago which required surgery to his right hip socket by placing a rod within his upper hip.

11) Since the plaintiff confinement he has observed several inmates with serious medical problems that have been denied medical treatment. See exhibits

12) Plaintiff incorporates paragraph 11 and 12 into paragraph 13 of this claim.

13) Plaintiff's are all detainees, confined here at Bristol County House of Correction and are being denied access to the main central law library, denied the right to have legal mail forward to the court, and photo copying of law materials.

14) The defendant: have created a system to prevent all prisoners who are presently doing time for their sentence of said crime, and prisoners who are detainees that have a greater protection that is afforded by the Constitution.

15) This institution is designed to prevent all inmates access to the central law library which has invoked this litigation.

16) There are several Housing Units that at least 64 prisoners to every up to at least 100 prisoners are only allowed to use (1) one computer library for every two units. Stemming from $64 \times 2 \text{ units} = 128 \text{ prisoners}$ and $100 \times 2 \text{ units} = 200 \text{ prisoners}$ that are allowed every other day access to one (1) computer when prisoners are allowed recreation for 1 hour 30 minutes for the use of such computer.

17) Plaintiff claims that it is unconstitutional the way the Sheriff has created a system where 64 to 200 inmates are allowed access to this (1) particular computer law and that it means that every prisoner is allowed 5 minutes to use such law computer.

18) The Defendant has forced all prisoners to pay 20¢ per-page for any legal materials that need to be copied by filling out (Photocopy Request Form = Sec EXHIBIT); Even if the prisoners are indigent, when they receive funds from family, or friend, these accounts are deducted for whatever the cost may be for photocopying.

19) The Defendants have utilized the fact to curtail all legal activities, may it be attorneys, Mass. Com. Legal Services and the Court which have hampered all the prisoners there Constitutional rights secured by the state and Federal Constitution.

20) Further Defendants have denied all prisoners the right to receive legal materials, legal postage pre-paid by the Sheriff, and photocopying of legal materials.

21) Defendants have impede against Jail-House lawyers for assisting other prisoners with their legal remedy, which the prisoners are all detainees who are not convicted of such crimes which is a greater protection that can't be overlooked.

22) All prisoners who are confined within A-4 waiting action status or segregation unit, are denied the right to utilized the law library or allowed assistance from Jail-House lawyers who are willing to aid all prisoners with their legal remedy.

23) The plaintiff incorporates paragraph 22 of that claim and incorporates it into paragraph 24 of the that claim stated therein.

Proper for Relief

24) The plaintiffs request the following relief from the Court.

Wherefore, the plaintiffs demand judgment against the defendants for damages, and for such other relief as this Court deems just.

- a) Plaintiff's request a trial by jury;
- b) Order that the defendants provide proper medical treatment as mandated under the 8th & 14 amendment to due process
- c) Order that the defendants re-opened the main law library to all A.H., Segregation and population unit. See Bounds vs. Smith 43 U.S. 817, 822, 97 S.Ct. 1491, 1495. 52 L.Ed.2d 72 (1977)
- d) Order the defendants to provide further legal assistance to all inmates confined within the Bristol County House of Correction; see John vs. Avery 393 U.S. 483, 89 S.Ct. 747, 21 L.Ed.2d 718 (1969):
- e) Order the defendants to provide free legal postage to all indigent inmates.
- f) Defendants be held accountable for the following damages;
 - monetary damages in the amount of \$250,000 Dollars
 - punitive damages in the amount of \$200,000 Dollars
 - declaratory damages in the amount of \$200,000 Dollars
- g) What Ever this Court deems fit.

Respectfully Submitted

Mark A. Genuer
 MARK GENOVERAS, Pro Se
 FB-114 ID 112562
 BRISTOL COUNTY SHERIFF'S OFFICE
 700 FAIRACE CORNER RD
 North Dartmouth, Mass.

02777

United States
For the
District of Massachusetts

Mark Menovezos, et al
Plaintiffs

vs.

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U.S. DISTRICT COURT
DISTRICT OF MASS

Civil Complaint

Thomas M. Hodgson, Sheriff
James P. Kelly, Deputy Supt
John Pope, law librarian staff
Peter Berthiaume, Medical staff

Defendants

all being sued in their individual and
official capacity under the state and federal
Constitution of the United States.

Affidavit of all parties et al

- | | |
|--|----------------------------|
| 1.) Scott E. Walls Jr 120459 | 2. Bruce Delgado 105173 |
| 2 Mark Brown 103170 | 10 Kevin Bates 100039 |
| 3 Billy Lorie 105826 | 11 Jacob Doune 101701 |
| 4 James E. [unclear] 132396 | 12 Jason Coy |
| 5 Judge PATE 100230 | 13 Dan Ferreira |
| 6 J. Wachst 102842 | 14 Levar Foster 132643 |
| 7 Robert 119285 | 15 BENJAMIN BOTELHO 128107 |
| 8 Mike Oliveira 102015 | 16 Hassan McFarlane |

GONZALEZ ET AL
Plaintiff
vs
Hodgson, Sheffer ET AL
DEFENDANT

United States District Court
For The
District of Massachusetts

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Class Action
Civil Complaint

NAME	ID	U.S. DISTRICT COURT DISTRICT OF MASS.	NAME	ID
CHRISTOPHER MONTE	101009	58	David L. Quinn	118184
Bruce M. Murgul	129470	40	John S. Rice	101687
John Burgos	123491	41	Steven Casselman	123970
ALBON WILSON	116757	42		
Anthony Williams	129158	43		
KEN TRAPHAGEN	132744	44		
Oscar Medina	113358	45		
Jesus Ramos R.	118059	46		
Adam Vaughn	129601	47		
Peter Vieira	100283	48		
Harry Martin		49		
Brad A. Santa	100204	50		
Thomas Kelly	118999	51		
William Wrightman	130082	52		
Robert Rugg	131068	53		
David M. Muel	113358	54		
Lance Dorn	122280	55		
Anthony McClendry	122600	56		
Joe Rodriguez	132838	57		
Donald Woodlief	102278	58		
Dennis P. McGowan	104654	59		
W. Perry	104843	60		
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